COUNTY OF LOS ANGELES
Public Health

JONATHAN E. FIELDING, M.D., M.P.H.
Director and Health Officer

JONATHAN E. FREEDMAN
Chief Deputy Director

313 North Figueroa Street, Room 806
Los Angeles, California 90012
TEL (213) 240-8117 • FAX (213) 975-1273

www.publichealth.lacounty.gov

February 24, 2009

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

APPROVAL TO INCREASE PUBLIC HEALTH FEES AND ORDINANCE THROUGH AN AMENDMENT TO LOS ANGELES COUNTY CODE, TITLE 8 - CONSUMER PROTECTION AND BUSINESS REGULATION, TITLE 11 - HEALTH AND SAFETY, AND TITLE 28 - PLUMBING CODE (ALL SUPERVISORIAL DISTRICTS) (3 VOTES)

SUBJECT

Proposed ordinance establishing standards for plan approval of non-conventional onsite wastewater treatment systems (NOWTSs); establishing an operating permit program to require the long term maintenance and monitoring of such systems; establishing an annual operating permit fee; and designating the Director of the Department of Public Health as the authority having jurisdiction for purposes of administering certain portions of the Plumbing Code relating to private sewage disposal systems.

IT IS RECOMMENDED THAT YOUR BOARD AFTER THE PUBLIC HEARING:

1. Acting as a responsible agency for the project, consider the enclosed Mitigated Negative Declaration prepared and adopted by the California Regional Water Quality Control Board, Los Angeles Region as lead agency, together with any comments received during the public review process; certify that the Board has independently considered and reached its own conclusions regarding the environmental effects of the project as shown in the Mitigated Negative Declaration; and adopt the proposed ordinance as the mitigation monitoring program for the project, finding that the proposed ordinance is adequately

designed to ensure compliance with the mitigation measures provided in the Mitigated Negative Declaration during project implementation. In addition, to the extent that the proposed ordinance is outside the scope of the previously adopted Mitigated Negative Declaration, find that the project is categorically exempt from the California Environmental Quality Act for the reasons stated in the letter and in the record of the project.

2. Approve amending Los Angeles County Code (LACC) Title 8, Consumer Protection and Business Regulations, to establish a non-conventional onsite wastewater treatment system (NOWTS) annual operating permit fee of $490.00, to amend LACC Title 11, Health and Safety, by establishing standards for plan approval of NOWTSs and establish an operating permit program for NOWTSs, and to amend Title 28, Plumbing Code, to designate the Director of the Department of Public Health as the authority having jurisdiction for purposes of administering certain portions of the Plumbing Code relating to private sewage disposal systems.

3. Introduce, waive reading and place the attached proposed ordinance on a subsequent agenda for adoption.

PURPOSE/JUSTIFICATION OF THE RECOMMENDED ACTION:

Background

Since the early 1950s, the Los Angeles Area Regional Water Quality Control Board (RWQCB) has authorized local municipalities, including Los Angeles County, to regulate residential onsite wastewater treatment systems (OWTSs) on its behalf. As a result, the RWQCB waived the Waste Discharge Requirement (WDR) and the associated fees for those homeowners who wished to install an OWTS. Under state law, this waiver expired on June 30, 2004, subject to renewal by the RWQCB.

In recent years, there has been growing concern over the extent to which the effluent from OWTSs may infiltrate underlying groundwater or otherwise affect water quality. In 2001, AB 885 was enacted requiring the State Water Resources Control Board (State Board) to establish statewide standards for the regulation of OWTSs that will bring uniformity to county OWTS programs throughout the state. The State Board has not yet promulgated standards pursuant to AB 885.

Pending adoption of these statewide regulations, on October 5, 2004, your Board approved a Memorandum of Understanding (MOU) between the County and the RWQCB. Pursuant to this MOU, the RWQCB permits the County to continue to regulate OWTSs, and the RWQCB renews the WDR waiver for its residents. Among other things, this MOU mandates that the County continue its current practice of

reviewing new residential OWTSs through the building permit application process to ensure compliance with applicable state and local standards. It also requires the County to establish a program to issue renewable operating permits for non-conventional onsite wastewater treatment systems (NOWTSs).

The LACC, which incorporates provisions of the State Plumbing Code, sets forth various requirements for conventional OWTSs. A conventional system must consist of a septic tank with effluent discharging into a leach field or seepage pit. Because this method relies on the natural filtration capacity of the soil, the Code requires certain soil conditions for a conventional OWTS. If the percolation rate is faster than allowed by the Code, effluent may reach the groundwater before the contaminants are filtered out. If the percolation rate is too slow, on the other hand, then the effluent from the OWTS may not be properly absorbed into the soil.

The State and Los Angeles County Plumbing Codes currently allow for the approval of "alternate" or "demonstration" OWTSs in areas where the soil conditions do not allow for conventional systems. The Department of Public Health (DPH) has previously approved such non-conventional OWTSs (i.e., NOWTS) in certain locations where the soil percolates too fast for a conventional system. These NOWTSs employ pre-treatment and in some instances dispersal technologies designed to prevent contaminated effluent from reaching the groundwater.

DPH does not approve NOWTSs for new construction in locations where the soil percolates too slowly. DPH has discretion to approve NOWTs in slow-perking areas to replace existing OWTSs serving existing homes in situations where there are no feasible alternatives.

Purpose/Justification

In accordance with the October 5, 2004 MOU, the proposed ordinance establishes a program requiring owners of NOWTSs to obtain an annual operating permit. In order to obtain the operating permit, the NOWTS owner must demonstrate that the NOWTS complies with all standards and requirements, and that the owner has recorded a covenant and agreement against the property to enter into and maintain a maintenance and monitoring contract for the NOWTS with a qualified third-party contractor.

The operating permit program established by the proposed ordinance will be administered by the Department of Public Health, Environmental Health Division, which is a regulatory agency that performs mandated services related to food, housing, water, liquid and solid waste, land use and vectors. State and local health and safety codes provide for the authority to carry out these regulatory activities that promote a safe and healthy environment and to offset costs through license / permit fees and other service

fees. Consequently, the proposed ordinance establishes a $490.00 yearly fee for this operating permit.

The proposed ordinance also codifies and clarifies the standards for the Department's approval of new construction of and repairs or alterations to NOWTSs in circumstances where the soil percolates too fast. It requires either that the applicant demonstrate that the NOWTS will produce continuous and long range results at least equivalent to a conventional OWTS or that the applicant agree to record a covenant on the property stating that if the system no longer operates properly, the owner shall install a conventional OWTS. Generally, installation of a conventional OWTS in these circumstances will require the owner to remove the existing soil beneath the leach field or seepage pit and replace it with two feet of sandy loam. (Because treatment devices have not yet been in use long enough to demonstrate "continuous and long range results," all applicants for NOWTSs will be required to record a covenant until such "continuous and long range results" can be proven.)

The proposed ordinance prohibits approval of NOWTSs in connection with the construction of a new building or alteration to an existing building in circumstances where the soil percolates too slowly.

In addition, the proposed ordinance defines certain roles and responsibilities of the Department of Public Health and the Department of Public Works in the approval and permitting process for private sewage disposal systems and requires these departments to enter into an MOU to further define these roles and responsibilities. The departments have agreed to the terms of the attached MOU. It is anticipated that the departments will amend this MOU as necessary as unanticipated issues arise in the future.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs that we provide Service Excellence (Goal 1), Workforce Excellence (Goal 2) and address Community Services (Goal 6). Through adoption of this ordinance, the efficiency, quality and responsiveness of County services to all residents will be improved; the quality of the County workforce will be enhanced through codified regulations; and the County will be able to further protect the quality of underlying groundwater resources for its residents and businesses.

FISCAL IMPACT/FINANCING:

It is anticipated that there will be no fiscal impact associated with adoption of this ordinance other than the cost of continuing the permitting and approval process for OWTS and the cost of carrying out the operating permit program for NOWTS. Existing building permit fees as well as the new operating permit fee for NOWTS are expected to

cover all associated costs. The Environmental Health Division will continue its plan to maintain expenditures consistent with the revenues generated.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS:

In order to be in compliance with the October 5, 2004 MOU between the County and the RWQCB, the Department of Public Health and the Department of Public Works recommend that the Board adopt the attached proposed ordinance.

Pursuant to Government Code, Section 66018, a local agency must hold a public hearing as part of a regularly scheduled meeting of the Board of Supervisors, before adopting an ordinance, resolution, or other legislative enactment adopting a new fee, and shall publish notice of the public hearing in a newspaper in accordance with Government Code, Section 6062a.

ENVIRONMENTAL DOCUMENTATION:

In 2004, the RWCQB as lead agency prepared an initial study, consulted with the County, and adopted a Mitigated Negative Declaration for the adoption of waivers of waste discharge requirements (WDRs) for residential onsite wastewater treatment systems. The proposed ordinance implements the MOU between the County and the RWCQB that the Board approved on October 5, 2004. The County entered into this MOU as a condition of the RWCQB's waiver of WDRs. Thus, in adopting the proposed ordinance, the County is acting as a responsible agency for the project. As shown in the adopted Mitigated Negative Declaration, the proposed ordinance will not have a significant effect on the environment.

In addition, to the extent that the proposed ordinance is outside the scope of the previously adopted mitigated negative declaration, the ordinance is categorically exempt from CEQA. The proposed ordinance clarifies standards for approval of NOWTSs to ensure that NOWTSs will provide at least as much protection for the groundwater as conventional OWTSs, and also establishes a renewable operating permit program for NOWTSs. As such it is within a class of projects that has been determined not to have a significant effect on the environment in that it meets the criteria set forth in Sections 15307 and 15308 of the State CEQA Guidelines. In addition, there are no cumulative impacts, unusual circumstances, or other limiting factors that would make the exemption inapplicable based on the project records.

Upon your Board's approval of the project, the Department of Public Health will file a Notice of Determination with the County Clerk in accordance with Section 21152(a) of the California Public Resources Code.

IMPACT ON CURRENT SERVICES (OR PROJECT):

The plan developed to address work plan approval, sampling, monitoring, and issuance of renewable operating permits for all NOWTS (currently 230 systems are approved in the unincorporated areas of the County) will affect the inspection frequency and response capability of Department of Public Health – Environmental Health Division. As the number of NOWTS increases, additional staffing may be necessary.

CONCLUSION:

It is requested that the Executive Officer, Board of Supervisors return the adopted ordinance and stamped letter with four certified copies to the Director of Environmental Health, at 5050 Commerce Drive, Baldwin Park, California 91706.

Respectfully submitted,

Jonathan E. Fielding, M.D., M.P.H.
Director and Health Officer

JEF:im
00745

Attachments (3)

c: Chief Executive Officer
County Counsel
Executive Officer, Board of Supervisors

MITIGATED NEGATIVE DECLARATION

Environmental Checklist Form

1. Project title: Waivers of Waste Discharge Requirements for Residential and Certain De Minimis Commercial Onsite Wastewater Treatment Systems

2. Lead agency name and address: California Regional Water Quality Control Board, Los Angeles Region
320 West 4th Street, Suite 200
Los Angeles, CA 90013

   Contact person and phone number: Jenny Newman
California Regional Water Quality Control Board, Los Angeles Region
(213) 576-6808

4. Project location: Los Angeles and Ventura Counties

5. Project sponsor's name and address: N/A

6. General plan designation: Residential and Commercial 7. Zoning: Residential and Commercial

8. Description of project:

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) has drafted waivers of waste discharge requirements (WDRs) for residential and certain de minimis commercial onsite wastewater treatment systems. These waivers delegate the Regional Board's permitting responsibility for these onsite wastewater treatment systems to Los Angeles and Ventura Counties, among other local agencies in the Region having land use and planning powers. Local agencies regulate residential onsite wastewater treatment systems based on California Uniform Building and Plumbing Codes. Section 13269 of the California Water Code (CWC) allows a regional board to waive the requirement to adopt waste discharge requirements (WDRs) for specific types of discharges where such a waiver is consistent with any applicable state or regional water quality control plans and is in the public interest. The discharge of waste from residential and certain de minimus onsite wastewater treatment systems poses a potential significant environmental risk to water quality and public health. However, where a local agency has entered into a Memorandum of Understanding (MOU) with the Regional Board and has agreed to amend its municipal plumbing code to be substantially equivalent to any Regional Board orders, Basin Plan requirements and statewide standards adopted pursuant to CWC sections 13290 and 13291, these potential risks would be mitigated to a level of insignificance. Regional Board staff has drafted a proposed template MOU upon which individual MOUs with local agencies shall be based.

Based upon the information contained in the Environmental Checklist, the Regional Board finds that the discharge of waste from residential onsite wastewater treatment systems will not result in a significant effect on the environment, provided that the discharge is regulated by a local agency who has entered into an MOU with the Regional Board and agreed to amend its municipal plumbing code to be substantially equivalent to any Regional Board orders, Basin Plan requirements and statewide standards adopted pursuant to CWC sections 13290 and 13291.

9. Surrounding land uses and setting: Briefly describe the project's surroundings:
The proposed project applies to single family residences and certain commercial facilities in Los Angeles and Ventura Counties.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.) N/A

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Agriculture Resources	☒ Air Quality
☒ Biological Resources	☐ Cultural Resources	☒ Geology /Soils
☐ Hazards & Hazardous Materials	☒ Hydrology / Water Quality	☐ Land Use / Planning
☐ Mineral Resources	☐ Noise	☐ Population / Housing
☐ Public Services	☐ Recreation	☐ Transportation/Traffic
☒ Utilities / Service Systems	☐ Mandatory Findings of Significance	

DETERMINATION:

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Original signed by Paula Rasmussen on May 7, 2004

Signature Date

DISCUSSION OF ENVIRONMENTAL EVALUATION:

III.e. Would the project create objectionable odors affecting a substantial number of people?

Less Than Significant With Mitigation Incorporated. The discharge of residential type wastewater to land has the potential to create objectionable odors. However, no odors will be perceivable if the discharge is regulated by a local agency who has entered into an MOU with the Regional Board and agreed to amend its municipal plumbing code to be substantially equivalent to any Regional Board Orders, Basin Plan requirements and statewide standards adopted pursuant to CWC sections 13290 and 13291. Regional Board Orders 91-94, 01-031, and R4-2004-XXXX contain prohibitions of surfacing or overflow of sewage and provisions that Odors of sewage origin shall not be detectable. A local agency permitting program that is substantially equivalent to these orders would prevent objectionable odors.

IV.a. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Less Than Significant With Mitigation Incorporated. The discharge of residential type wastewater to land, where groundwater is in hydraulic connection with nearby surface waters, has the potential to impact surface water quality and therefore species identified as a candidate, sensitive, or special status. However, no impact will occur if discharges are regulated by a local agency who has entered into an MOU with the Regional Board and agreed to amend its municipal plumbing code to be substantially equivalent to any Regional Board orders, Basin Plan requirements and statewide standards adopted pursuant to CWC sections 13290 and 13291. Regional Board Order R4-2004-XXXX contains inspection requirements, monitoring, and water quality limits for systems that pose a significant threat to water quality. Statewide standards adopted pursuant to CWC sections 13290 and 13291 shall include requirements for operation, performance monitoring, corrective action, authorization of a qualified local agency to implement regulations, and for systems adjacent to impaired waters identified pursuant to section 303(d) of the Clean Water Act (33 U.S.C. 1313(d)). A local agency permitting program that is substantially equivalent to these orders and regulations would ensure protection of ground and surface water quality.

IV.b. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

Less Than Significant With Mitigation Incorporated. See explanation for IV.a.

VI.e. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

Less Than Significant With Mitigation Incorporated. The discharge of residential type wastewater to land has the potential to have soils incapable of adequately supporting the use of onsite wastewater treatment systems. However, local agencies regulate residential onsite wastewater treatment systems based on California Uniform Building and Plumbing Codes. Local agencies require soil analysis, site evaluation, percolation tests, and determination of proximity to surface waters and depth to groundwater before onsite wastewater treatment system approval. No systems will be used in unsuitable soils if discharges comply with the current local agency regulations and future regulations based on the local agency amending its municipal plumbing code to be substantially equivalent to any Regional Board orders, Basin Plan requirements and statewide standards adopted pursuant to CWC sections 13290 and 13291.

VIII.a. Wound the project violate any water quality standards or waste discharge requirements?

Less Than Significant With Mitigation Incorporated. See explanation for IV.a.

VIII.f. Would the project otherwise substantially degrade water quality?

Less Than Significant With Mitigation Incorporated. See explanation for IV.a.

XVI.b. Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Less Than Significant Impact. A local agency program that was substantially equivalent to any Regional Board orders, Basin Plan requirements and statewide standards adopted pursuant to CWC sections 13290 and 13291 may require discharges that are proven to have a significant negative impact on water quality to install advanced treatment systems. However, the number of onsite wastewater treatment systems requiring advanced treatment would be a small fraction of the number of systems under the proposed waiver.

EVALUATION OF ENVIRONMENTAL IMPACTS:

Issues:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
I. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☒
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒
II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
III. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☐	☒
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☐	☒
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
e) Create objectionable odors affecting a substantial number of people?	☐	☒	☐	☐
IV. BIOLOGICAL RESOURCES -- Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☒	☐	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒
V. CULTURAL RESOURCES -- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☐	☒
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒
VI. GEOLOGY AND SOILS -- Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☐	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☒	☐	☐
VII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒
VIII. HYDROLOGY AND WATER QUALITY -- Would the project:				
a) Violate any water quality standards or waste discharge requirements?	☐	☒	☐	☐
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☐	☒
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☐	☒
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒
f) Otherwise substantially degrade water quality?	☐	☒	☐	☐
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒
IX. LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒
X. MINERAL RESOURCES -- Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒
XI. NOISE – Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	☒
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
XII. POPULATION AND HOUSING -- Would the project:				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
XIII. PUBLIC SERVICES				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	☐	☐	☐	☒
Police protection?	☐	☐	☐	☒
Schools?	☐	☐	☐	☒
Parks?	☐	☐	☐	☒
Other public facilities?	☐	☐	☐	☒
XIV. RECREATION --				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
XV. TRANSPORTATION/TRAFFIC -- Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☐	☐	☒
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☒
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e) Result in inadequate emergency access?	☐	☐	☐	☒
f) Result in inadequate parking capacity?	☐	☐	☐	☒
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☒
XVI. UTILITIES AND SERVICE SYSTEMS - Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒
XVII. MANDATORY FINDINGS OF SIGNIFICANCE --				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	☒
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☐	☒
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒

ANALYSIS

This ordinance amends Title 8 – Consumer Protection and Business Regulations, Title 11 – Health and Safety, and Title 28 – Plumbing, of the Los Angeles County Code relating to onsite wastewater treatment systems ("OWTS") by:

- Adding Section 8.04.332 to define non-conventional onsite wastewater treatment systems ("NOWTS") for purposes of the fee schedule;
- Amending Section 8.04.720 to add the NOWTS fee of Four Hundred Ninety Dollars ($490.00) to the fee schedule;
- Amending Section 11.38.450 to set forth standards for plan approval of NOWTS and to require the Director of the Department of Public Health ("DPH") to confer with and obtain input from the Director of the Department of Public Works ("DPW") when necessary, on matters within the expertise of DPW, when making approval or disapproval determinations;
- Adding Part 5 to Chapter 11.38, Sections 11.38.700 through 11.38.790 to establish an operating permit program for NOWTS.

- Amending Sections 101.5, 713.7 and adding Subsection (k) of Appendix K of Title 28, to designate the Director of DPH as the authority having jurisdiction for purposes of administering certain portions of the Plumbing Code relating to private sewage disposal systems, and Section 101.9 (Board of Appeals) to revise the composition of the Hearing Board for appeals arising out of actions by DPH.

RAYMOND G. FORTNER, JR.
County Counsel

By Julia Weissman
JULIA C. WEISSMAN
Deputy County Counsel
Health Services Division

JW:sw

1-14-09 (requested)

1-22-09 (revised)

ORDINANCE NO. _____

An ordinance amending Title 8 - Consumer Protection and Business Regulations, Title 11 - Health and Safety, and Title 28 - Plumbing Code of the Los Angeles County Code, relating to regulation of Non-Conventional Onsite Wastewater Treatment Systems.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 8.04.332 is hereby added to read as follows:

8.04.332 Non-Conventional Onsite Wastewater Treatment System.

Non-Conventional Onsite Wastewater Treatment System is defined in 11.38.710 of this Code.

SECTION 2. Section 8.04.720 is hereby amended to read as follows:

8.04.720 Fee schedule.

Animal keeper:	
Category I	$255.00
Category II	317.00
Category III	384.00
...	
Septic tank, cesspool, chemical toilet or sewage seepage pit:	
a. For each cleaning vehicle	225.00
b. Non-Conventional Onsite Wastewater Treatment System:	
Operation	490.00

Reinspection	136.00

...

SECTION 3. Section 11.38.450 is hereby amended to read as follows:

11.38.450 Waste-disposal systems -- Plan review and permit requirements.

A. The director shall have the authority to review and approve or disapprove all plans and specifications pertaining to or impacting sewage and industrial waste disposal systems, and shall have the authority to require the submission of such plans and specifications.

B. No person shall construct, install, alter or repair any private sewage disposal system, including but not limited to, conventional or non-conventional onsite wastewater treatment system, as defined in Section 11.38.710 of this code or part thereof without first making application and securing ~~a permit~~ plan approval from the director. Application shall be made on forms provided for that purpose by the director. All applicable fees, as provided for in Chapter 11.06 of this title and Section 8.04.728 of Title 8 of this code, shall be paid at the time of application. The director's approval of a private sewage disposal system under this section is separate from, and does not constitute compliance with, any permit requirements contained elsewhere in this code, including but not limited to the requirements under this Title 11 for obtaining a renewable operating permit for non-conventional wastewater treatment systems and any requirements under Title 28 of this code for obtaining a permit for the construction or installation or a private sewage disposal system.

In reviewing proposed plans and specifications and making the approval or disapproval determinations, the director shall, as necessary, confer with and obtain input from the Director of the Los Angeles County Department of Public Works ("DPW") on matters including, but not limited to: site geology, slope stability, mapping of easements and encroachments, plumbing installations and flood zone determinations. DPW and the director shall enter into a memorandum of understanding to further define their respective roles with respect to the approval, installation, construction, alteration or repair of private sewage disposal systems.

C. Non-conventional wastewater treatment systems shall not be constructed or installed in connection with new buildings or structures or in connection with alterations or additions to existing buildings or structures. The immediately preceding sentence notwithstanding, the director, under the discretionary authority granted by the Los Angeles County Plumbing Code may, subject to such terms and conditions as the director deems necessary and appropriate, approve the construction of a non-conventional wastewater treatment system in connection with a new building or structure or an alteration or addition to an existing building or structure when, at a minimum:

1. The percolation test shows the absorption capacity of the soil to be at least 0.83 gallons per square foot of leaching area over a twenty-four (24) hour period, with no private sewage disposal systems being approved under any circumstances in connection with a new building or structure or an alteration or addition to an existing

building or structure where the absorption capacity of the soil is less than 0.83 gallons per square foot of leaching area over a twenty-four (24) hour period; and

2. It is proven to the satisfaction of the director, that at least one of the following additional conditions is met:

a. The director determines that the property in question may reasonably sustain a conventional onsite wastewater treatment system, and the property owner agrees that in the event the director ever determines that the non-conventional wastewater treatment system no longer operates properly, the owner, or any future owner, shall, at his or her expense, install and use a conventional onsite wastewater treatment system in the place of the non-conventional onsite wastewater treatment system. The property owner shall record a covenant with the Office of the Los Angeles County Recorder that sets forth property owner's agreement to the condition referenced in the preceding sentence.

b. The director determines, based on extensive field or test data from conditions similar to those at the proposed site or on such additional data as he may require, that the proposed non-conventional wastewater treatment system will produce continuous and long range results at the proposed site at least equivalent to a conventional onsite wastewater treatment system.

SECTION 4. Part 5 is hereby added to Chapter 11.38 to read as follows:

Part 5

NON-CONVENTIONAL ONSITE WASTEWATER TREATMENT SYSTEMS

Sections:

11.38.700 Purpose. The purpose of Part 5 ("part") is to establish requirements for the ongoing and long-term maintenance and monitoring of Non-Conventional Onsite Wastewater Treatment Systems and to establish an operating permit program to implement and enforce such requirements after such systems are in existence.

11.38.710 Definitions. For the purposes of this part, the following words and terms shall have the following meanings:

A. "Conventional Onsite Wastewater Treatment System" ("COWTS") means a private sewage disposal system consisting of a septic tank and a dispersal system that shall utilize drain fields or seepage pits or a combination of drain fields and seepage pits and that meets the specifications set forth in the Appendix K of Title 28 of the Los Angeles County Code ("LACC") and the State Plumbing Code.

B. "Non-Conventional Onsite Wastewater Treatment System" ("NOWTS") means a private sewage disposal system that does not meet the requirements of a COWTS.

C. "Regulations" mean the procedures, standards and requirements pertaining to operation of, and the discharge of sewage by COWTS and NOWTS. The director shall promulgate these Regulations within thirty (30) calendar days of the adoption of the ordinance implementing this part. A copy of the Regulations shall be made available to any member of the public at no charge, upon request. The director may from time to time amend the regulations as the director deems reasonably necessary. When adopted by the director, these regulations, or any amendments thereto, shall be incorporated into, and shall be a part of, this part.

11.38.720 Non-Conventional Wastewater Treatment System Renewable Operating Permit.

A. Every person who owns a building or structure and who proposes to utilize a NOWTS for the discharge of sewage shall, prior to any discharge, use, operation or maintenance of such NOWTS, obtain an operating permit for said system pursuant to this part. No person shall discharge sewage, or otherwise use, operate or maintain any

NOWTS if an operating permit has not been issued for that system or if the operating permit for that system has expired or has been suspended or revoked. This operating permit is in addition to any other permits or approvals required for the installation of any onsite wastewater treatment system, including, but not limited to any permits or approvals required under Section 11.38.450 or Title 28 of this code for the construction, installation, replacement, repair, modification or renovation of an onsite wastewater treatment system.

B. The owner of an existing NOWTS that was in operation on the effective date of this ordinance shall have ninety (90) calendar days to obtain an operating permit pursuant to this part, or to cease any discharge to, use, operation or maintenance of the NOWTS on his or her property. The operating permit shall be issued to the owner of the property. In the event of sale or transfer of the property, the new owner shall apply for a new operating permit within thirty (30) days of the finalization of the sale of property. Applicants for new construction to be served by a NOWTS shall obtain an operating permit prior to occupancy of the new construction. Applicants for a new NOWTS to replace an existing onsite wastewater treatment system shall obtain an operating permit before the new NOWTS is placed into use.

C. To obtain an operating permit pursuant to this part, the person seeking to obtain the operating permit shall submit the following:

1. A written application for an operating permit to the director, in accordance with all applicable procedures and requirements as described in the Regulations.

2. The appropriate fees as described in Section 8.04.720 of this Code.

D. The director shall issue the operating permit to the applicant, for the NOWTS described in the application, if the director finds that all of the following exists:

1. The applicant is the owner of the property which will be served by the NOWTS.

2. The applicant has recorded a covenant and agreement against the property served by the NOWTS to enter into and maintain in full force and effect at all times, a contract with a qualified third-party contractor to perform maintenance and monitoring of the system; to perform effluent sampling; and to prepare telemetry and inspection reports in accordance with the procedures, standards and requirements specified in the Regulations. The covenant and agreement shall be in the form and shall include all additional terms as specified by the director and in the Regulations.

3. The applicant has complied with all applicable procedures and requirements of this part and the Regulations and that the proposed discharge of sewage to, and the use, operation and maintenance of the NOWTS described in the application complies with all the applicable standards and requirements of the director, this part and the Regulations.

E. An operating permit issued pursuant to this part shall expire twelve (12) months after issuance.

F. The director may suspend or revoke an operating permit issued pursuant to this part whenever such permit was issued in error or issued on the basis of incorrect, inaccurate or false information.

11.38.730 Permit Requirements.

A. The permittee shall submit reports, data and other documentation, in the manner, form and frequency set forth in the Regulations, demonstrating that the NOWTS is being used, monitored, operated and maintained, and that the system is performing in compliance with, the standards and requirements specified by the director, this part, the Regulations and the operating permit. If a report, data or other documentation required by this section, or if an inspection pursuant to section 11.38.750, indicates that the NOWTS is not meeting the effluent treatment standards set forth in the Regulations, the director may impose such additional conditions to the operating permit as he deems necessary in order to ensure that the NOWTS meets such effluent treatment standards.

B. The permittee shall enter into and maintain in full force and effect at all times a contract with a qualified third-party contractor to perform maintenance and monitoring of the system, to perform effluent sampling and to prepare quarterly telemetry and inspection reports, in accordance with the procedure, standards and requirements specified in the Regulations and the operating permit.

C. In addition to the requirements set forth herein, every person that discharges sewage to, or otherwise uses, operates or maintains any NOWTS shall comply with all applicable laws, and the procedures, standards and requirements contained in the Regulations.

11.38.740 Permit Renewal.

An NOWTS operating permit shall be renewed annually. Each permittee shall submit a written application for renewal to the director, in accordance with all applicable procedures and requirements as described in the Regulations, together with the appropriate fee as described in Section 8.04.720 of this code, at least ninety (90) days prior to the expiration of the existing permit. A request for renewal shall be processed in the same manner as the original application for the operating permit. The operating permit shall be issued to the owner of the property. In the event of the sale of property, a new operating permit shall be required, and shall be subject to requirements of this section. A new owner shall apply for an operating permit within thirty (30) calendar days of the finalization of sale of property.

11.38.750 Director – Right to enter and inspect.

The director may enter, upon reasonable written notice and during normal business hours, any property for which an application has been submitted for the issuance or renewal of an operating permit for NOWTS. Entry shall be for the purposes of inspecting the system and the surrounding topographical, geologic and climactic conditions, testing and taking samples from the system and monitoring the operation or maintenance of the system. Such inspection may be conducted as often as necessary to ensure compliance with the provisions of this part. Failure to allow inspections may result in denial, suspension or revocation of the operating permit. Further, the inspector may require the property owner to remove, at the owner's expense and at the

owner's risk, the cover of the NOWTS in order that the inspector can fully inspect the system.

11.38.760 Enforcement.

A. Notice of Violation.

1. If the director determines that an owner is not in compliance with the requirements of this part, or any law, or standard affecting the public health or safety, including, but not limited to, conditions imposed by the director as a prerequisite for issuance of the operating permit, the Regulations, the Los Angeles County Code, the State Plumbing Code, California Health and Safety Code, California Water Code or any combination thereof, the director may issue a notice of violation to the owner of the property on which such violation occurred or is located. The notice of violation shall state the following:

a. The nature of the violation(s); and

b. The notice of violation may specify a correction period, if, in the judgment of the enforcement officer, a correction period is warranted. Unless the director determines that the violation creates an immediate danger to health and safety, the correction date shall be set not less than thirty (30) calendar days from the original issuance of notice of violation. If the violation is not remedied to the satisfaction of the director prior to the expiration of the correction period, the director may, at any time thereafter, record with the Office of the County Recorder a notice that the NOWTS serving the property is in violation of this part.

2. The notice of violation shall be posted on the property, and shall be mailed to the property owner as indicated on the last equalized county assessment roll. The mailed notice may be by registered, certified or first class mail.

3. Rescission of Notice of Violation. If the director, upon a written request by the owner of the property on which the violation occurred, determines that the owner of the property has obtained all necessary approvals and permits to correct the violation and such work has been satisfactorily completed, the director shall record a notice rescinding the prior notice of violation.

B. Suspension of a permit. If the director determines that any NOWTS is being used, operated or maintained in violation of any law or any conditions imposed by the director as a prerequisite for issuing an operating permit, standard, requirement or other provision of this part, the Regulations, or the operating permit issued for that system, the director may issue to the owner of the NOWTS a written notice of suspension. The notice of suspension shall state the nature of all violations, shall specify the mandatory corrective measures which the director determines must be completed to correct the violations, and shall set a compliance date by which all the mandatory corrective measures must be completed or the suspension will become effective. If the director believes that continual operation of the NOWTS may pose an immediate risk to public health or safety the suspension may be effective immediately. In all other situations, the date the suspension shall take effect shall be at least thirty (30) calendar days after the date of issuance of the notice of suspension.

C. Administrative fines. In addition to any other penalty provided for under this part, an administrative fine may be imposed by the director subject to the requirements set forth in Chapter 1.25 of this code. At the discretion of the director, a hearing challenging the administrative fines pursuant to Chapter 1.25 of this code and a hearing challenging suspension or denial of a permit pursuant to Section 11.38.770 may be held at the same hearing, if requirements of notice and process for both hearings have been satisfied.

D. Injunctive relief. Any act or failure to act which is a violation of this part may be the subject to a civil action to enjoin the person so acting or failing to act to conform his or her conduct to the provisions of this part. A civil action to enforce the provisions of this section may be brought by the County Counsel, the District Attorney or any person directly affected by said failure to comply with the provisions of this part. The filing and prosecution of such an action shall, in no way, limit the authority or ability to impose other requirements of this part or penalties enumerated hereunder.

E. Remedies cumulative. The enforcement actions authorized in this part are cumulative to any other remedy or enforcement action provided for in this code or the laws of the State of California, or the United States of America, and the enforcement actions authorized in this part may be imposed in addition to any other fine, penalty, fee, charge, notice of violation, or any other enforcement action or remedy provided for in this code or the laws of the State of California, or the United States of America, so long as the cumulative application of such available remedies would not violate any applicable law.

11.38.770 Hearings following denial or suspension of a permit.

Any person whose application for a permit has been denied, or whose permit has been suspended or has been issued a notice of violation may make a written request for a hearing regarding the denial or the notice of suspension or the notice of violation. The request shall be made within fifteen (15) calendar days of the date of the notice, shall include the address of the person making the request for the purpose of correspondence by the director, and shall also include all the information and evidence that the requestor wants the director to consider. The failure to submit a written request for a hearing within the fifteen (15) calendar days period shall constitute a waiver of the right to a hearing. After receipt of a timely request for a hearing, the director shall schedule a date for the hearing and give the person requesting the hearing not less than five (5) calendar days prior written notice. The hearing shall be conducted by a designee of the director (hereinafter "Reviewer") who was not involved in issuing the notice of violation or suspension. Upon written request of the permittee, or on his own initiative, the Reviewer may advance or postpone the scheduled hearing date, if, in his opinion, good cause warrants such action. Upon completion of the hearing, the Reviewer may order the application to be granted or may confirm, revise or cancel the notice of violation or suspension. The Reviewer shall issue a written notice of his or her decision within five (5) working days of the completion of the hearing.

11.38.780 Penalty.

Any person violating any of the provisions of this part or any of any regulation adopted pursuant to this part is guilty of a misdemeanor punishable by a fine not

exceeding one thousand dollars ($1,000.00) or by imprisonment in the County Jail for a period not exceeding six (6) months, or by both such fine and imprisonment. Each such person is guilty of a separate offense for each and every day or portion thereof during which any such violation is committed, continued or permitted. The provisions of this section are in addition to and independent of any other sanctions, penalties or costs which are or may be imposed for a violation of any of the provisions of this part.

11.38.790 Severability.

If any provision of this part or the application thereof to any person or circumstances is held invalid, the remainder of the part or the application of such provision to other persons or circumstances shall not be affected.

SECTION 5. Section 101.5 of Title 28 is hereby amended to read as follows:

101.5 Use of Terms.

Whenever the term "Chief Plumbing Inspector" or "Plumbing Inspector" ~~or "Authority Having Jurisdiction"~~ is used in this Code, other than in Section 101.4, such term shall be construed to mean the "Director of the Department of Public Works" of the County of Los Angeles or his authorized representative.

Whenever the term "Authority Having Jurisdiction" is used in this Code, such term shall be construed to mean the following:

1. For purposes of administering the requirements of Title 28, Appendix K relating to the plan approval of private sewage disposal systems or plan approval of any construction activity impacting a private sewage disposal system, except for purposes of

administering Title 28, Appendix K, Table K-3, the Authority Having Jurisdiction shall be the Health Officer;

2. For the purposes of administering the provisions of Chapter 1, section 101.3.1 of this Code solely to the extent that the Authority Having Jurisdiction has discretion to approve deviations from the provisions of this Code for alterations, repairs or renovations of existing private sewage disposal systems, the Authority Having Jurisdiction shall be the Health Officer.

3. For the purpose of administering the provisions of Chapter 1, section 101.3.3 of this Code solely to the extent that the Authority Having Jurisdiction has authority to determine that a private sewage disposal system is dangerous, unsafe, insanitary, or a nuisance and a menace to life, health, or property, the Authority Having Jurisdiction shall be the Health Officer.

4. For all other purposes, the term "Authority Having Jurisdiction," when it is used in this Code, shall be construed to mean the Chief Plumbing Inspector.

The Chief Plumbing Inspector and the Health Officer shall enter into a Memorandum of Understanding to further define their respective roles with respect to the approval, installation, construction, alteration or repair of private sewage disposal systems.

SECTION 6. Section 101.9 of Title 28 is hereby amended to read as follows:

101.9 Board of Appeals.

~~The Board of Examiners of Plumbers or other authorized board shall act as a Board of Appeals for appeals arising from actions of the Authority Having Jurisdiction.~~

Actions by the Authority Having Jurisdiction may be appealed as provided in this section. A Plumbing Board of Appeals, consisting of the Board of Examiners of Plumbers or other authorized board, shall act as a Board of Appeals for appeals arising solely from actions by the Chief Plumbing Inspector acting as Authority Having Jurisdiction. Appeals arising in whole or in part from actions by the Health Officer acting as Authority Having Jurisdiction shall be heard by a Board of Appeals consisting of the Plumbing Board of Appeals plus two additional individuals appointed by the Chief Executive Officer who are knowledgeable in the area of environmental health.

The Board of Appeals shall have no authority to interpret the administrative portions of this Code, nor shall the Board be empowered to waive requirements of this Code.

Appeals shall be made in writing and the appellant may appear in person before the Board or be represented by an attorney and may introduce evidence to support his claims. Appeals shall be heard at reasonable times at the convenience of the Board but not later than thirty (30) days after receipt thereof.

The appellant shall cause to be made at his own expense any tests or research required by the Board to substantiate his claims.

A fee of three hundred sixty dollars and fifty cents ($360.50) shall be paid to the Department of Public Works whenever a person requests a hearing before the Board of Appeals.

SECTION 7. Section 713.7 of Title 28 is hereby amended to read as follows:

713.7 For the purpose of administering those requirements of ~~Chapter 7 and~~

~~Appendix K of~~ this Code, pertaining to private sewage disposal systems, ~~the approval, permitting and inspection of private sewage disposal systems,~~ the Authority Having Jurisdiction shall be construed to mean the ~~Chief Plumbing Inspector and the Health Officer~~ following:

1. For purposes of administering the requirements of Title 28, Appendix K relating to the plan approval of private sewage disposal systems or plan approval of any construction activity impacting a private sewage disposal system, except for purposes of administering Title 28, Appendix K, Table K-3, the Authority Having Jurisdiction shall be the Health Officer;

2. For the purpose of administering the provisions of Chapter 1, section 101.3.1 of this Code solely to the extent that the Authority Having Jurisdiction has discretion to approve deviations from the provisions of this Code for alterations, repairs or renovations of existing private sewage disposal systems, the Authority Having Jurisdiction shall be the Health Officer.

3. For the purpose of administering the provisions of Chapter 1, section 101.3.3 of this Code solely to the extent that the Authority Having Jurisdiction has authority to determine that a private sewage disposal system is dangerous, unsafe, insanitary, or a nuisance and a menace to life, health, or property, the Authority Having Jurisdiction shall be the Health Officer.

4. For all other purposes, the term "Authority Having Jurisdiction," when it is used in this Code, shall be construed to mean the Chief Plumbing Inspector.

The Chief Plumbing Inspector and the Health Officer shall enter into a Memorandum of Understanding to further define their respective roles with respect to the approval, installation, construction, alteration or repair of private sewage disposal systems.

SECTION 8. Subsection (k) is hereby added to Section K1 of Appendix K of Title 28 to read as follows:

...

(k) For the purposes of administering the requirements of this Code pertaining to private sewage disposal systems, the Authority Having Jurisdiction shall be construed to mean the following:

1. For purposes of administering the requirements of Title 28, Appendix K relating to the plan approval of private sewage disposal systems or plan approval of any construction activity impacting a private sewage disposal system, except for purposes of administering Title 28, Appendix K, Table K-3, the Authority Having Jurisdiction shall be the Health Officer.

2. For the purposes of administering the provisions of Chapter 1, section 101.3.1 of this Code solely to the extent that the Authority Having Jurisdiction has discretion to approve deviations from the provisions of this Code for alterations, repairs or renovations of existing private sewage disposal systems, the Authority Having Jurisdiction shall be the Health Officer.

3. For the purposes of administering the provisions of Chapter 1, section 101.3.3 of this Code solely to the extent that the Authority Having Jurisdiction

has authority to determine that a private sewage disposal system is dangerous, unsafe, insanitary, or a nuisance and a menace to life, health, or property, the Authority Having Jurisdiction shall be the Health Officer.

4. For all other purposes, the term "Authority Having Jurisdiction," when it is used in this Code, shall be construed to mean the Chief Plumbing Inspector.

The Chief Plumbing Inspector and the Health Officer shall enter into a Memorandum of Understanding to further define their respective roles with respect to the approval, installation, construction, alteration or repair of private sewage disposal systems.

...

[804332JWCC]

MEMORANDUM OF UNDERSTANDING (MOU) REGARDING
ONSITE WASTEWATER TREATMENT SYSTEMS

This Memorandum of Understanding ("MOU") made and entered into by and between the Department of Public Health of the County of Los Angeles (hereinafter referred to as "DPH") and the Department of Public Works of the County of Los Angeles (hereinafter referred to as "DPW").

I. RECITALS

DPH has experience and expertise pertaining to the use of private sewage disposal systems, also referred to as Onsite Wastewater Treatment Systems ("OWTS"), as a method of sewage disposal.

Pursuant to Section 11.38.450 and Appendix K of Title 28 of the Los Angeles County Code ("Plumbing Code"), DPH is responsible for administering the requirements of these ordinances pertaining to the plan approval of OWTS, as the method of sewage disposal. The OWTS plan approval will include the enforcement of applicable state and county codes for the siting, design, approval, operation, maintenance, and monitoring. The attached copy of Appendix K delineates those sections in which the Health Officer is the Authority Having Jurisdiction.

In addition to obtaining the plan approval of DPH, any person proposing to construct or install, or alter, an OWTS must obtain a sewer permit, in accordance with the Plumbing Code.

DPW is responsible for the issuance of sewer permits pursuant to the Plumbing Code.

II. APPROVAL PROCESS FOR OWTS

The inter-departmental coordination and approval process for OWTS in connection with each of the following permit application scenarios, shall be in accordance with the corresponding flows chart as described below, attached as exhibits to this MOU.

A. NEW CONSTRUCTION. When an application for a permit for new construction is submitted to DPW, DPH and DPW shall follow the process depicted in Exhibit No. 1 to this MOU.

B. EXISTING CONSTRUCTION (ADDITIONS, ACCESSORY STRUCTURES AND ALTERATIONS). When an application for a permit for (1) additions to existing buildings; (2) new accessory structures; or (3) alterations to existing buildings or structures that either increase the number of bedrooms or number of

plumbing fixtures is submitted to DPW, DPH and DPW shall follow the process depicted in Exhibit No. 2 to this MOU.

C. EXISTING CONSTRUCTION (COMPLETE REMODEL).

When an application for a permit for a complete remodel (as defined below) is submitted to DPW, DPH and DPW shall follow the process depicted in Exhibit No. 3 to this MOU. A complete remodel is defined as a complete removal of the entire framing to the foundation.

An existing OWTS shall not be subject to review and approval in connection with a permit application for the remodel of a building or structure within the existing footprint that does not increase the floor area, number of plumbing fixtures or the number bedrooms of the building or structure and is not a complete remodel as defined in Section C. above, unless DPW, in its sole judgment, determines that such review and approval is necessary for the protection of the public's health and safety.

D. FIRE REBUILD. When an application for a permit for a fire rebuild is submitted to DPW, DPH and DPW shall follow the process depicted in Exhibit No. 4 to this MOU.

E. ALTERATION TO EXISTING OWTS. When an application for a sewer permit to construct, install, or alter an existing OWTS is submitted to DPW, DPH and DPW shall follow the process depicted in Exhibit 5 to his MOU.

III. GENERAL PROVISIONS

A. DEPARTMENT OF PUBLIC HEALTH RESPONSIBILITIES

1. DPH approval of a proposed OWTS, or alteration thereof, shall be in the form of an approved plan, issued by DPH, pursuant to Section 11.38.450. The approved plan shall be stamped with a distinct label that identifies the type of system approved (i.e. Conventional, Non-Conventional).

2. DPH will determine conditions of OWTS failure, based on regulations as defined in the applicable County Ordinance. DPH shall require any property owner to repair or replace an OWTS that is in a state of failure.

3. DPH shall determine if the proposed OWTS system is within a flood hazard zone by using the County website http://dpw.lacounty.gov/apps/wmd/floodzone/.

4. DPH shall verify that the relocation from the encroachment of a public right of way is physically possible prior to the submittal of the encroachment request to the Construction Division.

B. DEPARTMENT OF PUBLIC WORKS RESPONSIBILITIES

1. DPW shall be responsible for approving the installation of the OWTS in accordance with DPH approved plans.

2. DPW shall provide technical assistance to DPH regarding structural issues and geotechnical issues (including the review and evaluation of geology reports prepared and submitted to DPH by consultants) related to DPH's review of OWTS when requested by DPH. The Geotechnical and Materials Engineering Division shall provide written reports of their findings.

3. DPW shall routinely provide reports for properties located on hillsides or within landslide areas. Such reports shall include but are not limited to, findings regarding soil reports, slope stability and impact of dispersal system installation, etc.DPW shall review reports from the consulting geologist regarding required capping depth for seepage pits on hillside properties.

5. DPW shall provide assistance to DPH in the areas pertaining to encroachments.

6. DPW shall provide assistance to DPH in the area of grading and drainage where grading could impact dispersal field and/or drainage.

7.DPW shall advise DPH on flood zone determination when requested by DPH.

C. DEPARTMENTS OF PUBLIC HEALTH AND PUBLIC WORKS JOINT RESPONSIBILITY

1. DPW shall not provide final sign off on any permitted OWTS work until it has received clearance from DPH regarding placement of OWTS (i.e., field inspection of OWTS to verify that the system is installed in accordance with DPH approved plans). DPW shall notify DPH of pending OWTS work that require clearance.

2. Deviations from DPH approved plans shall be resubmitted to DPH for approval prior to DPW permit issuance.

IV. ACCEPTANCE

This Memorandum of Understanding is hereby entered by the parties on, and its effective date is, _____, 2008.

DEPARTMENT OF PUBLIC HEALTH

By: _____

Date: _____

DEPARTMENT OF PUBLIC WORKS

By: _____

Date: _____

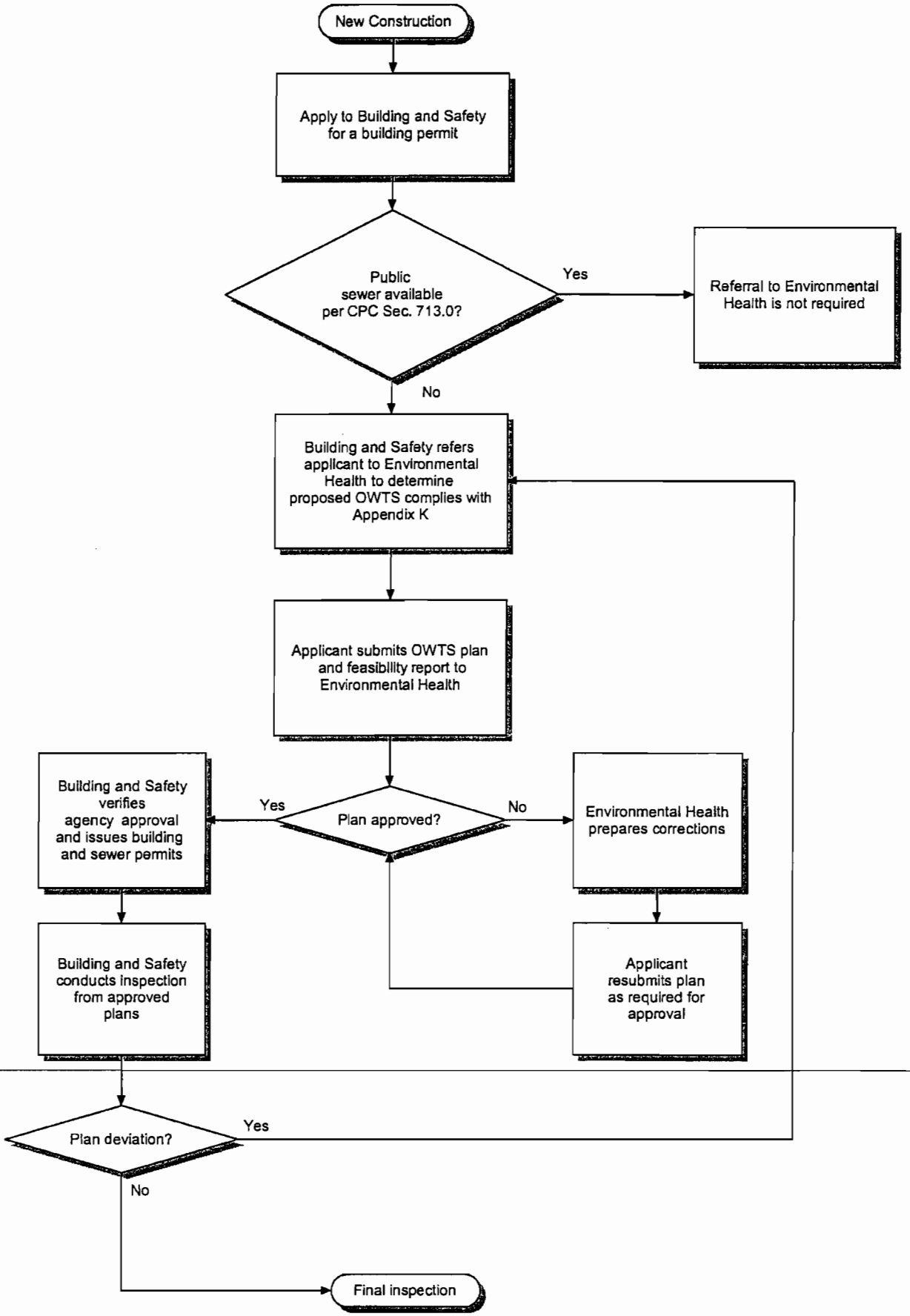
APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.
County Counsel

By: _____
Deputy

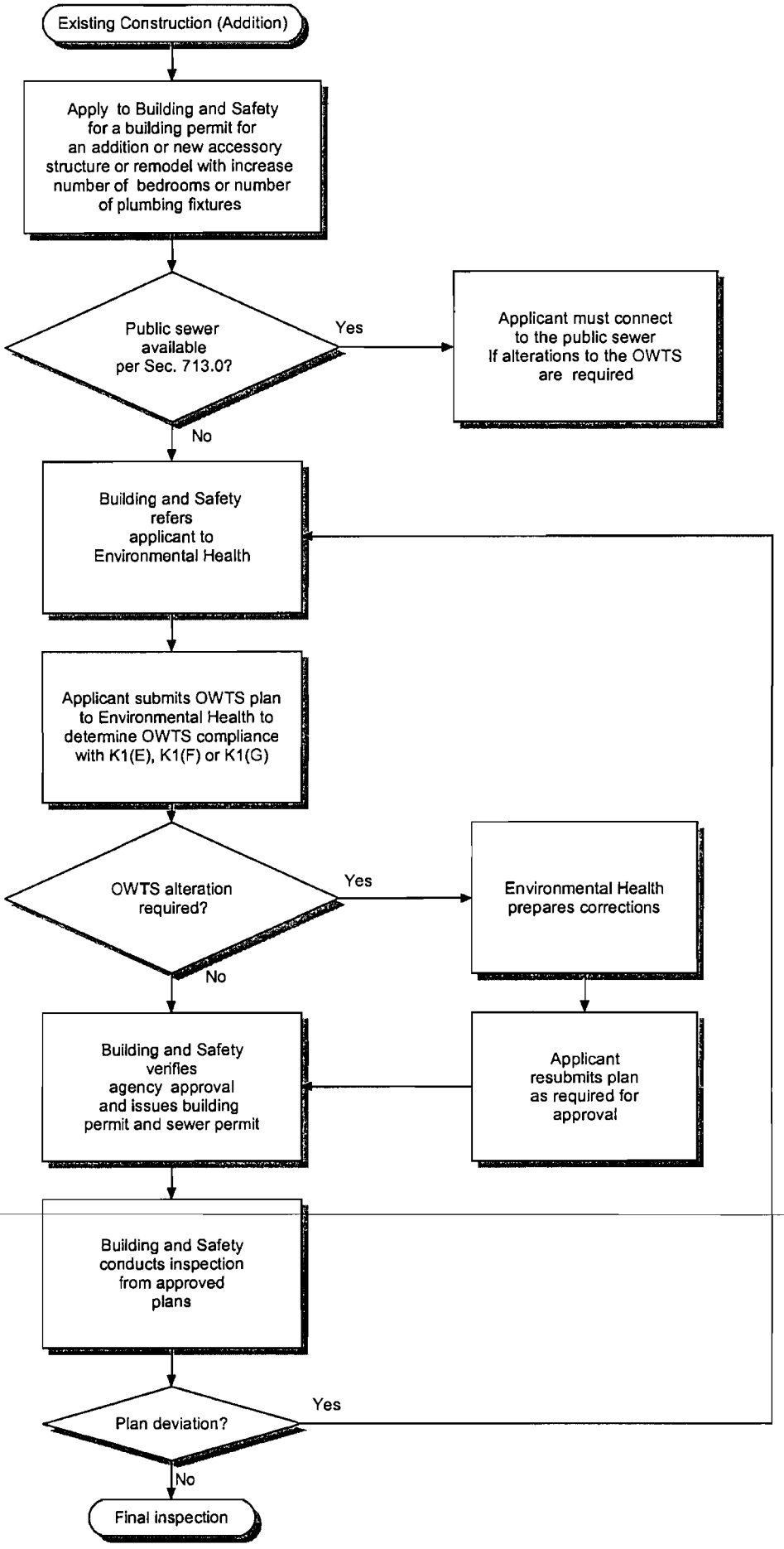
Date: _____

FLOW CHART #1



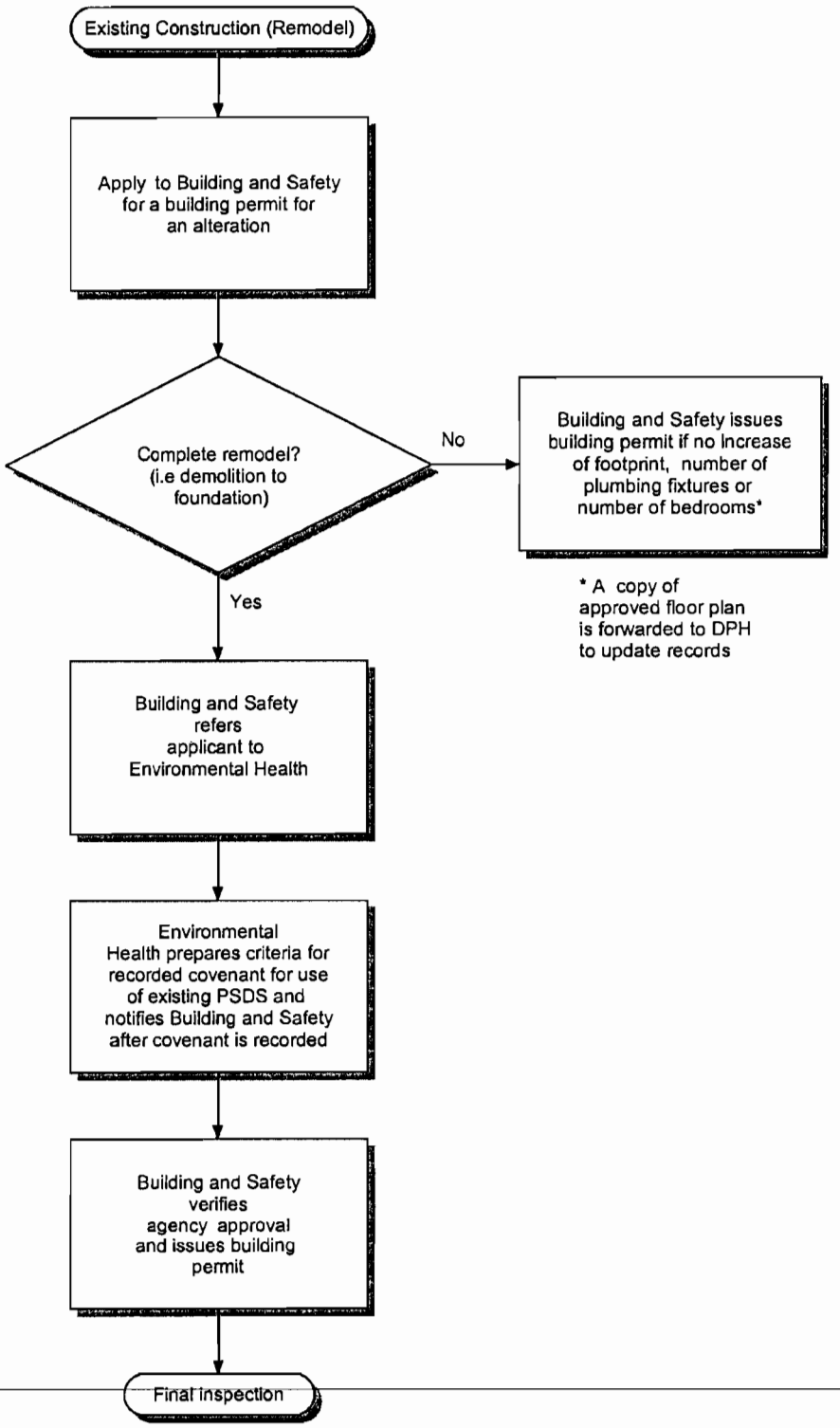
6/19/08

FLOW CHART #2

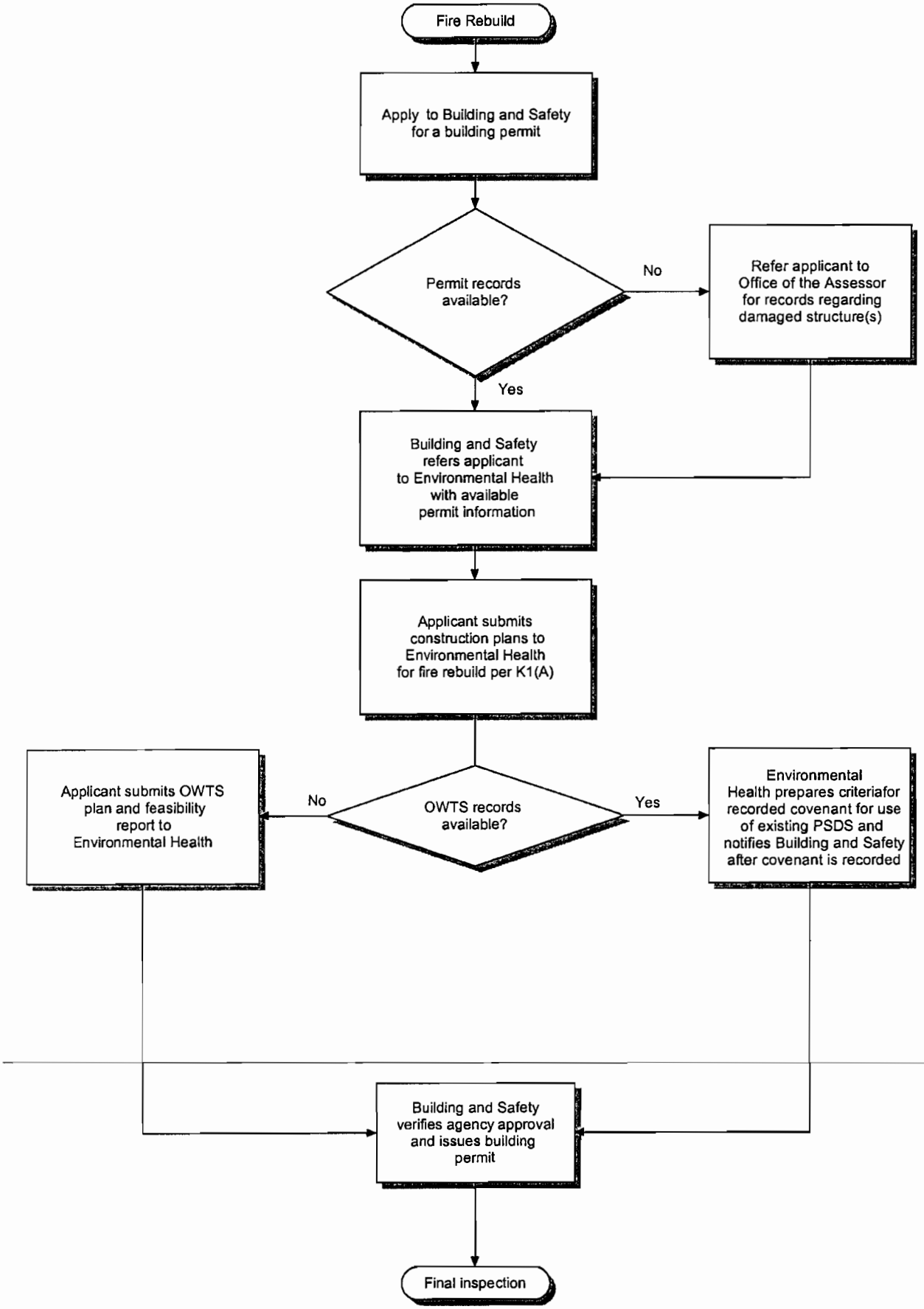


6/30/08

FLOW CHART #3

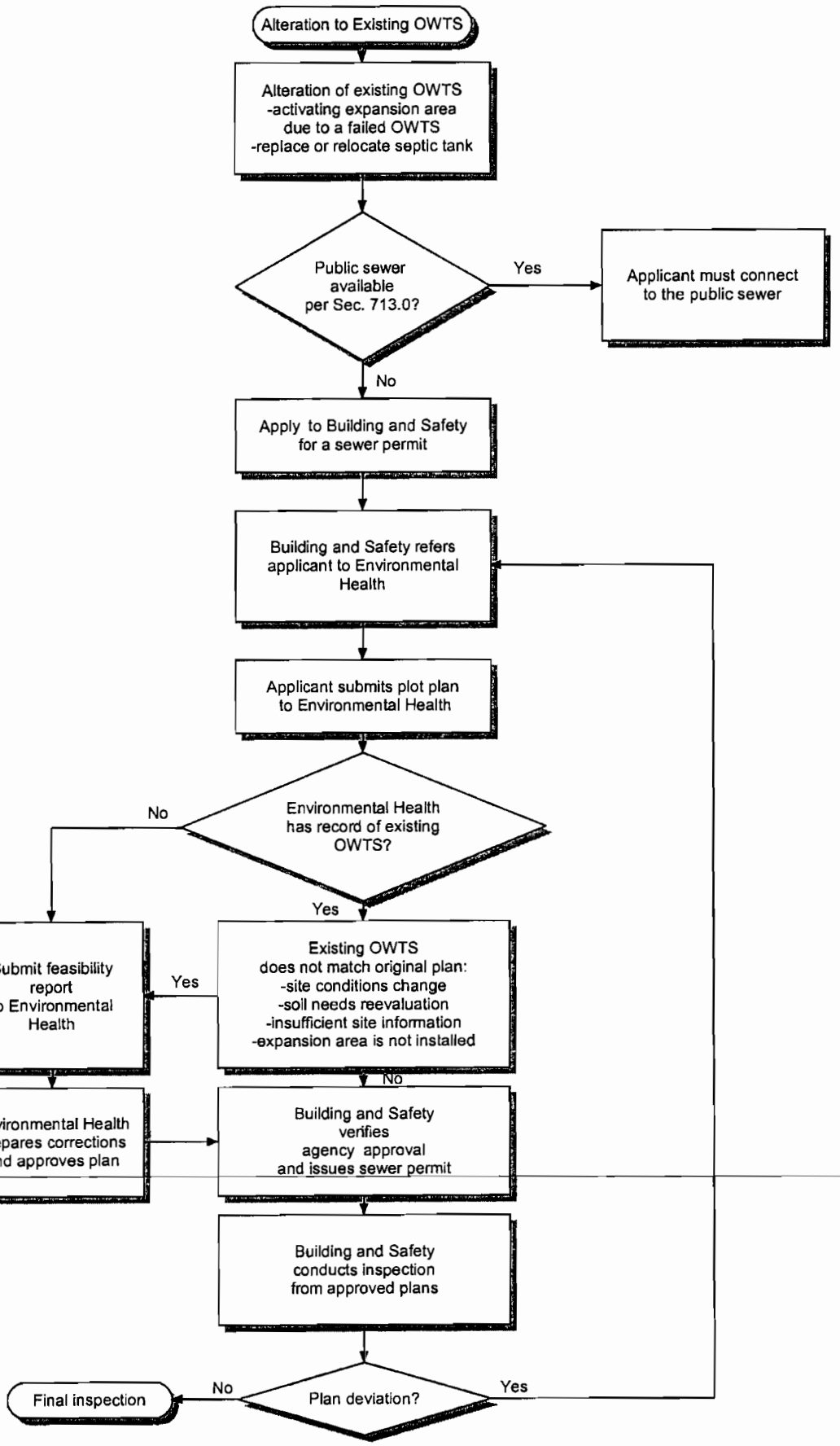

Existing Construction (Remodel)
Apply to Building and Safety for a building permit for an alteration
Complete remodel? (i.e demolition to foundation)
No
Building and Safety issues building permit if no increase of footprint, number of plumbing fixtures or number of bedrooms*
* A copy of approved floor plan is forwarded to DPH to update records
Yes
Building and Safety refers applicant to Environmental Health
Environmental Health prepares criteria for recorded covenant for use of existing PSDS and notifies Building and Safety after covenant is recorded
Building and Safety verifies agency approval and issues building permit
Final Inspection

FLOW CHART #4



6/30/08

FLOW CHART #5



6/19/08

Note: This version of Appendix K is taken from the State Plumbing Code and is for purposes of delineating responsibilities under the MOU. It does not necessarily reflect the text of Appendix K contained in the Los Angeles County Code.

DPW to make initial determination

APPENDIX K

PRIVATE SEWAGE DISPOSAL SYSTEMS

K 1 Private Sewage Disposal – General.

(A) Where permitted by Section 713.0, the building sewer may be connected to a private sewage disposal system complying with the provisions of this appendix. The type of system shall be determined on the basis of location, soil porosity, and groundwater level, and shall be designed to receive all sewage from the property. The system, except as otherwise approved, shall consist of a septic tank with effluent discharging into a subsurface disposal field, into one (1) or more seepage pits, or into a combination of subsurface disposal field and seepage pits. The

1) H.O. Authority Having Jurisdiction may grant exceptions to the provisions of this appendix for permitted structures that have been destroyed due to fire or natural disaster and that cannot be reconstructed in compliance with these provisions provided that such exceptions are the minimum necessary.

(B) Where the quantity or quality of the sewage is such that the above system cannot be expected to function satisfactorily for commercial, agricultural, and industrial plumbing systems; for installations where appreciable amounts of industrial or indigestible wastes are produced; for occupancies producing abnormal quantities of sewage or liquid waste; or when grease interceptors are required by other parts of this code, the method of sewage treatment and disposal

2) H.O. shall be first approved by the Authority Having Jurisdiction. Special sewage disposal systems for minor, limited, or temporary uses shall be first approved by the Authority Having Jurisdiction.

(C) Disposal systems shall be designed to utilize the most porous or absorptive portions of the soil formation. Where the groundwater level extends to within twelve (12) feet (3658 mm) or less of the ground surface or where the upper soil is porous and the underlying stratum is rock or impervious soil, a septic tank and disposal field system shall be installed.

(D) Disposal systems shall be located outside of flood hazard areas.

Exception: Where suitable sites outside of flood hazard areas are not available, disposal systems may be located in flood hazard areas on sites where the effects of inundation under conditions of the design flood are minimized.

(E) All private sewage disposal systems shall be so designed that additional seepage pits or subsurface drain fields, equivalent to at least one hundred (100) percent of the required original system, may be installed if the original system cannot absorb all the sewage. No division of the lot or erection of structures on the lot shall be made if such division or structure impairs the usefulness of the one hundred (100) percent expansion area.

(F) No property shall be improved in excess of its capacity to properly absorb sewage effluent by the means provided in this code.

Exception: The Authority Having Jurisdiction may, at its discretion, approve an alternate system. 3) H.O.

(G) No private sewage disposal system, or part thereof, shall be located in any lot other than the lot that is the site of the building or structure served by such private sewage disposal system, nor shall any private sewage disposal system or part thereof be located at any point having less than the minimum distances indicated in Table K-1.

Nothing contained in this code shall be construed to prohibit the use of all or part of an abutting lot to provide additional space for a private sewage disposal system or part thereof when proper cause, transfer of ownership, or change of boundary not in violation of other requirements has been first established to the satisfaction of the Authority Having Jurisdiction. The instrument recording such action shall constitute an agreement with the Authority Having Jurisdiction, which shall clearly state and show that the areas so joined or used shall be maintained as a unit during the time they are so used. Such agreement shall be recorded in the office of the County Recorder as part of the conditions of ownership of said properties and shall be binding on all heirs, successors, and assigns to such properties. A copy of the instrument recording such proceedings shall be filed with the Authority Having Jurisdiction.

4) H.O. Report from surveyor may be required.

(H) When there is insufficient lot area or improper soil conditions for adequate sewage disposal for the building or land use proposed, and the Authority Having Jurisdiction so finds, no building permit shall be issued and no private sewage disposal shall be permitted. Where space or soil conditions are critical, no building permit shall be issued until engineering data and test reports satisfactory to the 5) H.O.

Authority Having Jurisdiction have been submitted and approved.

6) H.O. for purposes of plan approval.

(I) Nothing contained in this appendix shall be construed to prevent the Authority Having Jurisdiction from requiring compliance with additional requirements than those contained herein, where such additional requirements are essential to maintain a safe and sanitary condition.

7) H.O.

(J) Alternate systems may be used only by special permission of the Authority Having Jurisdiction after being satisfied of their adequacy. This authorization may be based on extensive field and test data from conditions similar to those at the proposed site, or may require such additional data as may be necessary to provide assurance that the alternate system will produce continuous and long-range results at the proposed site, at least equivalent to systems which are specifically authorized.

If demonstration systems are to be considered for installation, conditions for installation, maintenance, and monitoring at each such site shall first be established by the Authority Having Jurisdiction.

Aerobic Systems. Approved aerobic systems may be substituted for conventional septic tanks provided the Authority Having Jurisdiction is satisfied that such systems will produce results at least equivalent to septic tanks, whether their aeration systems are operating or not.

K 2 Capacity of Septic Tanks.

The liquid capacity of all septic tanks shall conform to Tables K-2 and K-3 as determined by the number of bedrooms or apartment units in dwelling occupancies and the estimated waste/sewage design flow rate or the number of plumbing fixture units as determined from Table 7-3 of this Code, whichever is greater in other building occupancies. The capacity of any one septic tank and its drainage system shall be limited by the soil structure classification, as specified in Table K-4.

K 3 Area of Disposal Fields and Seepage Pits.

The minimum effective absorption area in disposal fields in square feet (m^2), and in seepage pits in square feet (m^2) of sidewall, shall be predicated on the required septic tank capacity in gallons (liters) and/or estimated waste/sewage flow rate, whichever is greater, and shall conform to Table K-4 as determined for the type of soil found in the excavation, and shall be as follows:

(1) When disposal fields are installed, a minimum of one hundred and fifty (150) square feet (14 m^2) of trench bottom shall be provided for each system exclusive of any hard pan, rock, clay, or other impervious formations. Sidewall area in excess of the required twelve (12) inches (305 mm) and not to exceed thirty-six (36) inches (914 mm) below the leach line may be added to the trench bottom area when computing absorption areas.

(2) Where leaching beds are permitted in lieu of trenches, the area of each such bed shall be at least fifty (50) percent greater than the tabular requirements for trenches. Perimeter sidewall area in excess of the required twelve (12) inches (305 mm) and not to exceed thirty-six (36) inches (914 mm) below the leach line may be added to the trench bottom area when computing absorption areas.

(3) No excavation for a leach line or leach bed shall extend within five (5) feet (1,524 mm) of the water table nor to a depth where sewage may contaminate the underground water stratum that is usable for domestic purposes.

Exception: In areas where the records or data indicate that the groundwaters are grossly degraded, the five (5) foot (1,524 mm) separation requirement may be reduced by the Authority Having Jurisdiction. The applicant shall supply evidence of groundwater depth to the satisfaction of the Authority Having Jurisdiction.

(4) The minimum effective absorption area in any seepage pit shall be calculated as the excavated sidewall area below the inlet exclusive of any hardpan, rock, clay, or other impervious formations. The minimum required area of porous formation shall be provided in one or more seepage pits. No excavation shall extend within ten (10) feet (3,048 mm) of the water table nor to a depth where sewage may contaminate underground water stratum that is usable for domestic purposes.

8) H.O.

Exception: In areas where the records or data indicate that the groundwaters are grossly degraded, the ten (10) foot (3,048 mm) separation requirement may be reduced by the Authority Having Jurisdiction.

The applicant shall supply evidence of

groundwater depth to the satisfaction of the Authority Having Jurisdiction.

(5) Leaching chambers shall be sized on the bottom absorption area (nominal unit width) in square feet. The required area shall be calculated using Table K-4 with a 0.70 multiplier.

K 4 Percolation Test.

(A) Wherever practicable, disposal field and seepage pit sizes shall be computed from Table K-4. Seepage pit sizes shall be computed by percolation tests, unless use of Table K-4 is approved by the Authority Having Jurisdiction.

9) H.O.

(B) In order to determine the absorption qualities of seepage pits and of questionable soils other than those listed in Table K-4, the proposed site shall be subjected to percolation tests acceptable to the Authority Having Jurisdiction.

(C) When a percolation test is required, no private disposal system shall be permitted to serve a building if that test shows the absorption capacity of the soil is less than 0.83 gallons per square foot (33.8 L/m²) or more than 5.12 gallons per square foot (208 L/m²) of leaching area per 24 hours. If the percolation test shows an absorption rate greater than 5.12 gallons per square foot (208 L/m²) per 24 hours, a private disposal system may be permitted if the site does not overlie groundwaters protected for drinking water supplies, a minimum thickness of two (2) feet (610 mm) of the native soil below the entire proposed system is replaced by loamy sand, and the system design is based on percolation tests made in the loamy sand.

K 5 Septic Tank Construction.

(A) Plans for all septic tanks shall be submitted to the Authority Having Jurisdiction for approval. Such plans shall show all dimensions, reinforcing, structural calculations, and such other pertinent data as may be required.

(B) Septic tank design shall be such as to produce a clarified effluent consistent with accepted standards and shall provide adequate space for sludge and scum accumulations.

(C) Septic tanks shall be constructed of solid durable materials not subject to excessive corrosion or decay and shall be watertight.

10) H.O. is responsible for plan approval. MOU reflects that DPW will provide assistance as necessary.

(D) Septic tanks shall have a minimum of two (2) compartments. The inlet compartment of any septic tank shall be not less than two-thirds (2/3) of the total capacity of the tank, nor less than five hundred (500) gallons (2.0 m³) liquid capacity, and shall be at least three (3) feet (914 mm) in width and five (5) feet (1,524 mm) in length. Liquid depth shall be not less than two (2) feet (610 mm) and six (6) inches (152 mm) nor more than six (6) feet (1,829 mm). The secondary compartment of any septic tank shall have a minimum capacity of two hundred fifty (250) gallons (1.0 m³) and a maximum capacity of one-third (1/3) of the total capacity of such tank. In septic tanks having over a fifteen hundred (1,500) gallon (6.0 m³) capacity, the secondary compartment may be not less than five (5) feet (1,524) in length.

(E) Access to each septic tank shall be provided by at least two (2) manholes twenty (20) inches (508 mm) in minimum dimension or by an equivalent removable cover slab. One access manhole shall be located over the inlet and one (1) access manhole shall be located over the outlet. Wherever a first compartment exceeds twelve (12) feet (3,658 mm) in length, an additional manhole shall be provided over the baffle wall.

(F) The inlet and outlet pipe openings shallnot be larger in size than the connecting sewer pipe. The vertical leg of round inlet and outlet fittings shall not be less in size than the connecting sewer pipe nor less than four (4) inches (102 mm). A baffle-type fitting shall have the equivalent cross-sectional area of the connecting sewer pipe and not less than a four (4) inch (100 mm) horizontal dimension when measured at the inlet and outlet pipe inverts.

(G) The inlet and outlet pipe or baffle shall extend four (4) inches (100 mm) above and at least twelve (12) inches (305 mm) below the water surface. The invert of the inlet pipe shall be at a level not less than two (2) inches (51 mm) above the invert of the outlet pipe.

(H) Inlet and outlet pipe fittings or baffles and compartment partitions shall have a free vent area equal to the required cross-sectional area of the house sewer or private sewer discharging therein to provide free ventilation above the water surface from the disposal field or seepage pit through the septic tank, house sewer, and stack to the outer air.

(I) The sidewalls shall extend at least nine (9) inches (229 mm) above the liquid depth. The cover of the

septic tank shall be at least two (2) inches (51 mm) above the back vent openings.

(J) Partitions or baffles between compartments shall be of solid, durable material and shall extend at least four (4) inches (102 mm) above the liquid level. An inverted fitting equivalent in size to the tank inlet, but in no case less than four (4) inches (102 mm) in size, shall be installed in the inlet compartment side of the baffle with the bottom of the fitting placed midway in the depth of the liquid. Wooden baffles are prohibited.

(K) Structural Design.

(1) General. Each such tank shall be structurally designed to withstand all anticipated earth or other loads. All septic tank covers shall be capable of supporting an earth load of not less than five hundred (500) pounds per square foot (23.9kPa) when the maximum coverage does not exceed three (3) feet (914 mm).

(2) Flood Loads. In flood hazard areas, tanks shall be anchored to counter buoyant forces during conditions of the design flood. The vent termination and service manhole of the tank shall be a minimum of 2 feet (610 mm) above the design flood elevation or fitted with covers designed to prevent the inflow of floodwater or the outflow of the contents of the tanks during conditions of the design flood.

(L) Septic tanks installed under concrete or blacktop paving shall have the required manholes accessible by extending the manhole openings to grade in a manner acceptable to the Authority Having Jurisdiction. H.O.

(M) Materials.

(1) **Concrete Septic Tanks.**

All materials used in constructing a septic tank shall be in accordance with applicable standards in Chapter 14, Table 14-1.

(2) **Steel Septic Tanks.**

The minimum wall thickness of any steel septic tank shall be No. 12 U.S. gauge (0.109) (2.8 mm), and each such tank shall be protected from corrosion both externally and internally by an approved bituminous coating or by other acceptable means.

(3) **Alternate Materials.**

(i) Septic tanks constructed of alternate materials may be approved by the Authority Having Jurisdiction when complying with approved applicable standards.

(ii) Wooden septic tanks are prohibited.

(N) Prefabricated Septic Tanks.

(1) Manufactured or prefabricated septic tanks shall comply with all approved applicable standards and be approved by the Authority Having Jurisdiction.

(2) Independent laboratory tests and engineering calculations certifying the tank capacity and structural stability shall be provided as required by the Authority Having Jurisdiction. H.O.

K 6 Disposal Fields.

(A) Distribution lines shall be constructed of clay tile laid with open joints, perforated clay pipe, perforated bituminous fiber pipe, perforated high-density polyethylene pipe, perforated ABS pipe, perforated PVC pipe, or other approved materials, provided that sufficient openings are available for distribution of the effluent into the trench area.

(B) Before placing filter material or drain lines in a prepared excavation, all smeared or compacted surfaces shall be removed from trenches by raking to a depth of one (1) inch (25.4 mm) and the loose material removed. Clean stone, gravel, slag, or similar filter material acceptable to the Authority Having Jurisdiction, varying in size from three fourths (3/4) inch to two and one-half (2-1/2) inches (19.1 mm to 64 mm), shall be placed in the trench to the depth and grade required by this section. Drain pipe shall be placed on filter material in an approved manner. The drain lines shall then be covered with filter material to the minimum depth required by this section, and this material covered with untreated building paper, straw, or similar porous material to prevent closure of voids with earth backfill. No earth backfill shall be placed over the filter material cover until after inspection and acceptance. 11) H.O. for purposes of plan approval.

Exception: Listed or approved plastic leaching chambers may be used in lieu of pipe and filter material. Chamber installations shall follow the rules for disposal fields, where applicable, and shall conform to manufacturer's installation instructions.

(C) A grade board staked in the trench to the depth of filter material shall be utilized when the distribution line is constructed with drain tile or a flexible pipe material that will not maintain alignment without continuous support.

	Minimum	Maximum
Number of drain lines per field	1	–
Length of each line	–	100 ft. (30,480 mm)
Bottom width of trench	18 in. (457 mm)	36 in. (914 mm)
Spacing of lines, center-to-center	6 ft. (1,829 mm)	–
Depth of earth cover of lines [preferred –18 in. (457 mm)]	12 in. (305 mm)	–
Grade of lines	level	3 in./100 ft. (25 mm/m)
Filter material under drain lines	12 in. (305 mm)	–
Filter material over drain lines	2 in. (51 mm)	–

(D) When seepage pits are used in combination with disposal fields, the filter material in the trenches shall terminate at least five (5) feet (1,524 mm) from the pit excavation, and the line extending from such points to the seepage pit shall be approved pipe with watertight joints.

(E) Where two (2) or more drain lines are installed, an approved distribution box of sufficient size to receive lateral lines shall be installed at the head of each disposal field. The inverts of all outlets shall be level, and the invert of the inlet shall be at least one (1) inch (25.4 mm) above the outlets. Distribution boxes shall be designed to ensure equal flow and shall be installed on a level concrete slab in natural or compacted soil.

(F) All laterals from a distribution box to the disposal field shall be approved pipe with watertight joints. Multiple disposal field laterals, wherever practicable, shall be of uniform length.

(G) Connections between a septic tank and a distribution box shall be laid with approved pipe with watertight joints on natural ground or compacted fill.

(H) When the quantity of sewage exceeds the amount that can be disposed in five hundred (500) lineal feet (152.4 m) of leach line, a dosing tank shall be used. Dosing tanks shall be equipped with an automatic siphon or pump that discharges the tank once every three (3) or four (4) hours. The tank shall have a capacity equal to sixty (60) to seventy-five (75) percent of the interior capacity of the pipe to be dosed at one time. Where the total length of pipe exceeds one thousand (1,000) lineal feet (304.8 m), the dosing tank shall be provided with two (2) siphons or pumps dosing alternately and each serving one-half (1/2) of the leach field.

(I) Disposal fields shall be constructed as follows:
(See chart above.)
Minimum spacing between trenches or leaching beds shall be four (4) feet (1,219 mm) plus two (2) feet (610 mm) for each additional foot (305 mm) of depth in excess of one (1) foot (305 mm) below the bottom of the drain line. Distribution drain lines in leaching beds shall not be more than six (6) feet (1,829 mm) apart on centers, and no part of the perimeter of the leaching bed shall be more than three (3) feet (914 mm) from a distribution drain line. Disposal fields, trenches, and leaching beds shall not be paved over or covered by concrete or any material that can reduce or inhibit any possible evaporation of sewer effluent.

(J) When necessary on sloping ground to prevent excessive line slope, leach lines or leach beds shall be stepped. The lines between each horizontal section shall be made with watertight joints and shall be designed so each horizontal leaching trench or bed shall be utilized to the maximum capacity before the effluent shall pass to the next lower leach line or bed. The lines between each horizontal leaching section shall be made with approved watertight joints and installed on natural or unfilled ground.

K 7 Seepage Pits.

(A) The capacity of seepage pits shall be based on the quantity of liquid waste discharging thereinto and on the character and porosity of the surrounding soil, and shall conform to Section K 3 of this appendix.

(B) Multiple seepage pit installations shall be served through an approved distribution box or be connected in series by means of a watertight connection laid on undistributed or compacted soil; the outlet from the pit shall have an approved vented leg fitting extending at least twelve (12) inches (305 mm) below the inlet fitting.

(C) Each seepage pit shall be circular in shape and shall have an excavated diameter of not less than four (4) feet (1,219 mm). Each such pit shall be lined with

12) H.O. as part of plan approval.

approved-type whole new hard-burned clay brick, concrete brick, concrete circular-type cesspool blocks, or other approved materials. Approval shall be obtained prior to construction for any pit having an excavated diameter greater than six (6) feet (1,829 mm).

(D) The lining in every seepage pit shall be laid on a firm foundation. Lining materials shall be placed tight together and laid with joints staggered. Except in the case of approved-type precast concrete circular sections, no brick or block shall be greater in height than its width, and shall be laid flat to form at least a four (4) inch (102 mm) wall. Brick or block greater than twelve (12) inches (305 mm) in length shall have chamfered matching ends and be scored to provide for seepage. Excavation voids behind the brick, block, or concrete liner shall have a minimum of six (6) inches (152 mm) of clean three-fourths (3/4) inch (19.1 mm) gravel or rock.

(E) All brick or block used in seepage pit construction shall have a minimum compressive strength of twenty-five hundred (2,500) pounds per square inch (17,237 kPa).

(F) Each seepage pit shall have a minimum sidewall (not including the arch) of ten (10) feet (3,048 mm) below the inlet.

(G) The arch or dome of any seepage pit may be constructed in one of three ways:

(1) Approved-type hard-burned clay brick or solid concrete brick or block laid in cement mortar.

(2) Approved brick or block laid dry.

In both of the above methods, an approved cement mortar covering of at least two (2) inches (51 mm) in thickness shall be applied, said covering to extend at least six (6) inches (152 mm) beyond the sidewalls of the pit.

(3) Approved-type one or two-piece reinforced concrete slab of twenty-five hundred (2,500) pounds per square inch (17237 kPa) minimum compressive strength, not less than five (5) inches (127 mm) thick and designed to support an earth load of not less than four hundred (400) pounds per square foot (19.2 kPa). Each such cover shall be provided with a nine (9) inch (229 mm) minimum inspection hole with plug or cover and shall be coated on the underside with an approved bituminous or other nonpermeable protective compound.

(H) The top of the arch or cover must be at least eighteen (18) inches (457 mm) but not more than four (4) feet (1219 mm) below the surface of the ground.

(I) An approved vented inlet fitting shall be provided in every seepage pit so arranged as to prevent the inflow from damaging the sidewall. H.O.

Exception: When using a one- or two-piece concrete slab cover inlet, fitting may be a one-fourth (1/4) bend fitting discharging through an opening in the top of the slab cover. On multiple seepage pit installations, the outlet fittings shall be per Section K 7(B) of this appendix.

K 8 Cesspools.

(A) A cesspool shall be considered only as a temporary expedient pending the construction of a public sewer; as an overflow facility when installed in conjunction with an existing cesspool; or as a means of sewage disposal for limited, minor, or temporary uses, when first approved by the Authority Having Jurisdiction.

13. H.O.

(B) Where it is established that a public sewer system will be available in less than two (2) years and soil and groundwater conditions are favorable to cesspool disposal, cesspools without septic tanks may be installed for single-family dwellings or for other limited uses when first approved by the Authority Having Jurisdiction.

(C) Each cesspool, when permitted, shall conform to the construction requirements set forth in Section K 7 of this appendix for seepage pits and shall have a minimum sidewall (not including arch) of twenty (20) feet (6,096 mm) below the inlet, provided, however, that when a strata of gravel or equally pervious material of four (4) feet (1,219 mm) in thickness is found, the depth of such sidewall need not be more than ten (10) feet (3,048 mm) below the inlet.

(D) When overflow cesspools or seepage pits are added to existing installations, the effluent shall leave the existing pit through an approved vented leg extending at least twelve (12) inches (305 mm) downward into such existing pit and having its outlet flow line at least six (6) inches (152 mm) below the inlet. All pipe between pits shall be laid with approved watertight joints.

Grease and Garbage, Commercial Kitchens

Number of meals per peak hour	x	Waste flow rate	x	Retention time	x	Storage factor	=	Interceptor size (liquid capacity)

Sand-Silt Oil, Auto Washers

Number of vehicles per hour	x	Waste flow rate	x	Retention time	x	Storage factor	=	Interceptor size (liquid capacity)

Silt-Lint Grease, Laundries, Laundromats

Number of machines	x	2 cycles per hour	x	Waste flow rate	x	Retention time	x	Storage Factor	=	Interceptor size (liquid capacity)

Waste Flow Rate

See Table K-3 of this appendix for estimated flow rates.

Retention Times

Commercial kitchen waste:
Dishwasher and/or disposal.....2.5 hours
Single service kitchen:
Single serving with disposal.....1.5 hours
Sand-silt oil.....2.0 hours
Lint-silt (laundry).....2.0 hours

Storage Factors

Fully equipped commercial kitchen.....8 h. operation: 1
16 h. operation: 2
24 h. operation: 3
Single service kitchen.....1.5
Auto washers.....self-serve: 1.5
employee operated: 2
Laundries, laundromats.....1.5 (allows for rock filter)

K 9 Commercial or Industrial Special Liquid-Waste Disposal.

(A) When liquid wastes contain excessive amounts of grease, garbage, flammable wastes, sand, or other ingredients that may affect the operation of a private sewage disposal system, an interceptor for such wastes shall be installed.

(B) Installation of such interceptors shall comply with Section 1009.0 of this code, and their location shall be in accordance with Table K-1 of this appendix.

(C) A sampling box shall be installed when required by the Authority Having Jurisdiction.

(D) Interceptors shall be of approved design and be of not less than two (2) compartments. Structural requirements shall be in compliance with the applicable subparts of Section K 5 of this appendix.

(E) Interceptors shall be located as close to the source as possible and be accessible for servicing. All necessary manholes for servicing shall be at grade level and be gastight.

(F) Waste discharge from interceptors may be connected to a septic tank or other primary system or be disposed into a separate disposal system.

(G) Recommended Design Criteria. (Formula may be adapted to other types of occupancies with similar wastes.) See charts on this page.

K 10 Inspection and Testing.

(A) Inspection.

(1) Applicable provision of Section 103.5 of this code and this appendix shall be complied with. Plans may be required per Section 101.3 of this code.

(2) System components shall be properly identified as to manufacturer. Septic tanks or other primary systems shall have the rated capacity permanently marked on the unit.

(3) Septic tanks or other primary systems shall be installed on dry, level, well-compacted soil.

(4) If design is predicated on soil tests, the system shall be installed at the same location and depth as the tested area.

(B) Testing.

(1) Septic tanks or other primary components shall be filled with water to flow line prior to requesting inspection. All seams or joints shall be left exposed (except the bottom), and the tank shall remain watertight.

(2) A flow test shall be performed through the system to the point of effluent disposal. All lines and components shall be watertight. Capacities, required air space, and fittings shall be in accordance with the provisions set forth in this appendix.

TABLE K-1

Location of Sewage Disposal System

Minimum Horizontal Distance In Clear Required From:	Building Sewer	Septic Tank	Disposal Field	Seepage Pit or Cesspool
Buildings or structures[1]	2 feet (610 mm)	5 feet (1,524 mm)	8 feet (2,438 mm)	8 feet (2,438 mm)
Property line adjoining private property	Clear[2]	5 feet (1,524 mm)	5 feet (1,524 mm)	8 feet (2,438 mm)
Water supply wells	50 feet[3] (1,5240 mm)	50 feet (1,5240 mm)	100 feet (30.5 m)	150 feet (45.7 m)
Streams and other bodies of water	50 feet (1,5240 mm)	50 feet (1,5240 mm)	100 feet[7](15,240 mm)[7]	150 feet[7] (30.5 m)[7]
Trees	–	10 feet (3,048 mm)	–	10 feet (3,048 mm)
Seepage pits or cesspools	–	5 feet (1,524 mm)	5 feet (1,524 mm)	12 feet (3,658 mm)
Disposal field	–	5 feet (1,524 mm)	4 feet[4] (1,219 mm)	5 feet (1,524 mm)
On-site domestic water service line	1 foot[5] (305 mm)	5 feet (1,524 mm)	5 feet (1,524 mm)	5 feet (1,524 mm)
Distribution box	–	–	5 feet (1,524 mm)	5 feet (1,524 mm)
Pressure public water main	10 feet[6] (3,048 mm)	10 feet (3,048 mm)	10 feet (3,048 mm)	10 feet (3,048 mm)

Note:
When disposal fields and/or seepage pits are installed in sloping ground, the minimum horizontal distance between any part of the leaching system and ground surface shall be fifteen (15) feet (4,572 mm).

[1] Including porches and steps, whether covered or uncovered, breezeways, roofed porte cocheres, roofed patios, carports, covered walks, covered driveways, and similar structures or appurtenances.

[2] See also Section 313.3 of the Uniform Plumbing Code.

[3] All drainage piping shall clear domestic water supply wells by at least fifty (50) feet (15,240 mm). This distance may be reduced to not less than twenty-five (25) feet (7,620 mm) when the drainage piping is constructed of materials approved for use within a building.

[4] Plus two (2) feet (610 mm) for each additional one (1) foot (305 mm) of depth in excess of one (1) foot (305 mm) below the bottom of the drain line. (See also Section K 6.)

[5] See Section 720.0 of the Uniform Plumbing Code.

[6] For parallel construction – For crossings, approval by the Health Department shall be required.

[7] These minimum clear horizontal distances shall also apply between disposal fields, seepage pits, and the mean high tide line.

TABLE K-2
Capacity of Septic Tanks*

Single-Family Dwellings – Number of Bedrooms	Multiple Dwelling Units or Apartments – One Bedroom Each	Other Uses: Maximum Fixture Units Served per Table 7-3	Minimum Septic Tank Capacity in Gallons	(Liters)
1 or 2		15	750	(2,838)
3		20	1,000	(3,785)
4	2 units	25	1,200	(4,542)
5 or 6	3	33	1,500	(5,678)
	4	45	2,000	(7,570)
	5	55	2,250	(8,516)
	6	60	2,500	(9,463)
	7	70	2,750	(10,409)
	8	80	3,000	(11,355)
	9	90	3,250	(12,301)
	10	100	3,500	(13,248)

*Note:
Extra bedroom, 150 gallons (568 liters) each.
Extra dwelling units over 10,250 gallons (946 liters) each.
Extra fixture units over 100,25 gallons (95 liters) per fixture unit.

Septic tank sizes in this table include sludge storage capacity and the connection of domestic food waste disposal units without further volume increase.

TABLE K-3
Estimated Waste/Sewage Flow Rates

Because of the many variables encountered, it is not possible to set absolute values for waste/sewage flow rates for all situations. The designer should evaluate each situation and, if figures in this table need modification, they should be made with the concurrence of the Authority Having Jurisdiction. **14) D.P.W.**

Type of Occupancy	**Gallons (liters) Per Day**
1. Airports	15 (56.8) per employee 5 (18.9) per passenger
2. Auto washers	Check with equipment manufacturer
3. Bowling alleys (snack bar only)	75 (283.9) per lane
4. Camps:	
Campground with central comfort station	35 (132.5) per person
Campground with flush toilets, no showers	25 (94.6) per person
Day camps (no meals served)	15 (56.8) per person
Summer and seasonal	50 (189.3) per person
5. Churches (Sanctuary)	5 (18.9) per seat
with kitchen waste	7 (26.5) per seat
6. Dance halls	5 (18.9) per person
7. Factories	
No showers	25 (94.6) per employee
With showers	35 (132.5) per employee
Cafeteria, add	5 (18.9) per employee
8. Hospitals	250 (946.3) per bed
Kitchen waste only	25 (94.6) per bed
Laundry waste only	40 (151.4) per bed
9. Hotels (no kitchen waste)	60 (227.1) per bed (2 person)

TABLE K-3 (Continued)

Type of Occupancy	Gallons (liters) Per Day
10. Institutions (Resident)	75 (283.9) per person
Nursing home	125 (473.1) per person
Rest home	125 (473.1) per person
11. Laundries, self-service	
(minimum 10 hours per day)	50 (189.3) per wash cycle
Commercial	Per manufacturer's specifications
12. Motel	50 (189.3) per bed space
with kitchen	60 (227.1) per bed space
13. Offices	20 (75.7) per employee
14. Parks, mobile homes	250 (946.3) per space
picnic parks (toilets only)	20 (75.7) per parking space
recreational vehicles –	
without water hook-up	75 (283.9) per space
with water and sewer hook-up	100 (378.5) per space
15. Restaurants – cafeterias	20 (75.7) per employee
toilet	7 (26.5) per customer
kitchen waste	6 (22.7) per meal
add for garbage disposal	1 (3.8) per meal
add for cocktail lounge	2 (7.6) per customer
kitchen waste – Disposable service	2 (7.6) per meal
16. Schools – Staff and office	20 (75.7) per person
Elementary students	15 (56.8) per person
Intermediate and high	20 (75.7) per student
with gym and showers, add	5 (18.9) per student
with cafeteria, add	3 (11.4) per student
Boarding, total waste	100 (378.5) per person
17. Service station, toilets	1000 (3785) for 1st bay 500 (1892.5) for each additional bay
18. Stores	20 (75.7) per employee
public restrooms, add	1 per 10 sq. ft. (4.1/m^2) of floor space
19. Swimming pools, public	10 (37.9) per person
20. Theaters, auditoriums	5 (18.9) per seat
drive-in	10 (37.9) per space

(a) **Recommended Design Criteria.** Sewage disposal systems sized using the estimated waste/sewage flow rates should be calculated as follows:

(1) Waste/sewage flow, up to 1,500 gallons/day (5,677.5 L/day)
Flow x 1.5 = septic tank size

(2) Waste/sewage flow, over 1,500 gallons/day (5,677.5 L/day)
Flow x 0.75 + 1,125 = septic tank size

(3) Secondary system shall be sized for total flow per 24 hours.

(b) Also see Section K 2 of this appendix.

TABLE K-4
Design Criteria of Five Typical Soils

Type of Soil	Required sq. ft. of leaching area/ 100 gal. (m^2/L)		Maximum absorption capacity in gals./sq. ft. of leaching area for a 24 hr. period (L/m^2)	
Coarse sand or gravel	20	(0.005)	5.0	(203.7)
Fine sand	25	(0.006)	4.0	(162.9)
Sandy loam or sandy clay	40	(0.010)	2.5	(101.8)
Clay with considerable sand or gravel	90	(0.022)	1.1	(44.8)
Clay with small amount of sand or gravel	120	(0.030)	0.8	(32.6)

TABLE K-5

Required Square Feet of Leaching Area/100 gal. Septic Tank Capacity	(m^2/L)	Maximum Septic Tank Size Allowable Gallons	(liters)
20–25	(0.005–0.006)	7500	(28,387.5)
40	(0.010)	5000	(18,925.0)
90	(0.022)	3500	(13,247.5)
120	(0.030)	3000	(11,355.0)

K 11 Abandoned Sewers and Sewage Disposal Facilities.

(A) Every abandoned building (house) sewer, or part thereof, shall be plugged or capped in an approved manner within five (5) feet (1,524 mm) of the property line.

(B) Every cesspool, septic tank, and seepage pit that has been abandoned or has been discontinued otherwise from further use, or to which no waste or soil pipe from a plumbing fixture is connected, shall have the sewage removed therefrom and be completely filled with the earth, sand, gravel, concrete, or other approved material.

(C) The top cover or arch over the cesspool, septic tank, or seepage pit shall be removed before filling, and the filling shall not extend above the top of the vertical portions of the sidewalls or above the level of any outlet pipe until inspection has been called and the cesspool, septic tank, or seepage pit has been inspected. After such inspection, the cesspool, septic tank, or seepage pit shall be filled to the level of the top of the ground.

(D) No person owning or controlling any cesspool, septic tank, or seepage pit on the premises of such person or in that portion of any public street, alley, or other public property abutting such premises shall fail, refuse, or neglect to comply with the provisions of this section or upon receipt of notice so to comply with the Authority Having Jurisdiction.

(E) Where disposal facilities are abandoned consequent to connecting any premises with the public sewer, the permittee making the connection shall fill all abandoned facilities as required by the Authority Having Jurisdiction within thirty (30) days from the time of connecting to the public sewer.

K 12 Drawings and Specifications.

The Authority Having Jurisdiction, Health Officer, or other department having jurisdiction may require any or all of the following information before a permit is issued for a private sewage disposal system or at any time during the construction thereof.

(A) Plot plan drawn to scale, completely dimensioned, showing direction and approximate slope of surface, location of all present or proposed retaining walls, drainage channels, water supply lines or wells, paved areas and structures on the plot, number of bedrooms or plumbing fixtures in each structure, and location of the private sewage disposal system with relation to lot lines and structures.

(B) Details of construction necessary to ensure compliance with the requirements of this appendix together with a full description of the complete installation including quality, kind, and grade of all materials, equipment, construction, workmanship, and methods of assembly and installation.

(C) A log of soil formations and groundwater levels as determined by test holes dug in close proximity to any proposed seepage pit or disposal field, together with a statement of water absorption characteristics of the soil at the proposed site, as determined by approved percolation tests.

PUBLIC NOTICES OF THE BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Sachi A. Hamai, Executive Officer-
Clerk of the Board of Supervisors
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

NOTICE OF PUBLIC HEARING

PROPOSED ORDINANCE AMENDMENT TO ESTABLISH AN OPERATING PERMIT PROGRAM AND OPERATING PERMIT FEE FOR NON-CONVENTIONAL WASTEWATER DISPOSAL SYSTEMS (NOWTS)

NOTICE IS HEREBY GIVEN that the Department of Public Health (DPH), County of Los Angeles has recommended that the Board of Supervisors approve an amendment to the Los Angeles County Code (LACC) to establish an operating permit program and operating permit fees for non-conventional wastewater treatment systems (NOWTS).

NOTICE IS ALSO HEREBY GIVEN that a public hearing will be held before the Board of Supervisors, in Room 381B in the Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012 at **9:30 a.m. on February 24, 2009**.

The Board of Supervisors will consider and may adopt the proposed amendment establishing the operating permit program and fees. Further notice is given that the Board of Supervisors may continue this hearing from time to time

Written comments may be sent to the Executive Office of the Board of Supervisors in Room 383 at the above address. If you do not understand this notice or need more information, please contact Alfonso Medina, Bureau Director, Environmental Protection Bureau at (626) 430-5280 Monday through Friday between 9:30 a.m. and 5:00 p.m.

"ADA ACCOMMODATIONS: If you require reasonable accommodations or auxiliary aid and services such as material in alternate format or a sign language interpreter, please contact the Americans with Disabilities Act Coordinator at (213) 974-6488 (Voice) or (213) 617-2292 (TDD), with at least three business days notice."

Si no entiende esta noticia o necesita más información, por favor llame este número (213) 974-4899.

SACHI A. HAMAI
EXECUTIVE OFFICER-CLERK OF
BOARD OF SUPERVISORS